



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO.: 22927

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3/26/04

Applicants: JAY S. WALKER et al.

Application Serial No.: 09/523,653

Filing Date: March 10, 2000

Title: METHOD, SYSTEM AND COMPUTER PROGRAM PRODUCT
FOR FACILITATING AN AUCTION BEHAVIOR AND
AUTOMATIC BIDDING IN AN AUCTION

Attorney Docket No: 99-062

Group Art Unit: 3624

Examiner: Geoffrey R. Akers

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GROUP 3624

Mail Stop: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION
of the Holding of Abandonment - No Abandonment in Fact

Summary of Request

Applicants request reconsideration and withdrawal of the abandonment of the present application, per MPEP 711.03. Since a reply was timely filed, there was no abandonment in fact.

Facts

The most recent Office Action was mailed August 18, 2003.

Applicants filed a Response to this Office Action on February 18, 2004, including the requisite fee for extension of time. Thus, the Response was filed six months after the mailing date of the Office Action. Attached are copies of this Response and certificate of mailing dated February 18, 2004.

Nevertheless, a Notice of Abandonment was mailed on March 2, 2004.

Conclusion

Applicants request that the Abandonment of the Application be withdrawn because there was no abandonment in fact. Applicants specifically request that the Application be considered as never abandoned, and the response filed on February 18, 2004 (with sufficient fees for extension of time) be accepted as timely filed.

Applicants believe no fee is due. Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order number 99-062. The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment to Deposit Account No. 50-0271.

Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this submission timely, and charge any fee for such an extension to Deposit Account No. 50-0271. A duplicate copy of this authorization is enclosed for such purposes.

Respectfully submitted,



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March 8, 2004
Date